

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES,

Plaintiff,

vs.

Criminal No. 23-748-KWR

SOLOMON PENA, et al.,

Defendants,

**DEFENDANT PENA'S REQUESTED VOIR DIRE QUESTIONS**

Have you or any member of your immediate family served now or in the past in Law Enforcement?

If yes; who served, with which agency did they serve and when did they serve?

Do you or any member of your immediate family have connections with any Federal Bureau or Officers?

If yes; who has connections, with which agency and for how long?

Would your or your family member's service cause you to believe a police officer over any other witness?

Would the fact that they are Law Enforcement cause you to believe them less than other witnesses?

Is there a crime problem in your neighborhood?

If yes, has this affected your quality of life?

Have you or any member of your immediate family been the victim of a crime?

If yes; who was the victim, what was the crime and when did it take place?

Would the fact that you or an immediate family member has been a victim of a crime cause you to be biased in this case where you could not sit as a Juror?

Have you or any member of your immediate family been a defendant in a criminal case?  
If yes, please explain:

Have you served previously as a witness in a criminal case?  
If yes, please explain:

Have you served previously as a juror?

Have you or any members of your family ever been convicted of a crime?  
If yes: who was convicted and what was the offense?  
Would this experience prevent you from being fair and impartial juror in this case?

Do you believe that you may know the defendant, or any of the lawyers or witnesses involved in this case?

Do you believe that the nature of the crime charged will prevent you from being a fair and impartial juror?  
If yes, please explain:

This case involves the Defendant's alleged possession of guns. Is there anything regarding guns that would make it difficult for you to sit as a juror in this case?

This case involves accusations that the Defendant was shooting at a vehicle from a moving vehicle or enlisted others to shoot from a moving vehicle. Is there anything regarding this that would make it difficult for you to sit as a juror in this case?

You will hear evidence that one of the co-defendants in this case, Jose Trujillo, was in possession of the drug fentanyl and has plead to it. Is there anything about the fact that one of the co-defendants was in possession of drugs which would cause you to be unable to be a fair and impartial juror in this case?

We believe the evidence will show that certain individuals who will testify, as well as the defendant Mr. Pena, were legally and lawfully gathering evidence regarding the elections that had just taken place in the state of New Mexico. Is there anything about the fact that individuals were lawfully gathering data and legally asking questions of county commissioners regarding the validity of an election that would cause you to not be unable to sit as a juror in this case?

Do you have any difficulty reading, writing or understanding the English language? Would this impair your ability to understand what you hear in court or to read the documents that may be used as exhibits?

Is anyone wearing hearing aids or have any other physical concerns that would affect your ability to sit as a juror in this case?

Are you a member of any religious, civic, social, union, professional, fraternal or recreational organizations?

If yes, which organization?

Would this membership prevent you from being fair and impartial in this case?

Are you a member of any organization that would prevent you from sitting in judgement of others?

What is your current political party affiliation?

Mr. Pena is a Republican. He ran as a candidate for State Senate. Is there anything about the fact that he belongs to this political party that would make you unable to sit as a juror?

Did you follow this case in the media? Do you believe that you may have known something about this case before you came to this courtroom?

Did this cause you to form an opinion as to Mr. Pena's guilt or innocence prior to entering this court room?

Mr. Pena stand before you today an innocent man. Are you able to set aside any media reports you may have heard or read regarding Mr. Pena and base your judgment solely upon the evidence presented to you in the case?

The judge will instruct you on reasonable doubt and that it is a very high standard to meet to convict a person of a crime. Will you be able to set aside any biases you have and judge this case solely on the evidence presented and require the United States attorneys to prosecute this case beyond a reasonable doubt and apply that standard to this case?

Is there any reason I haven't touched on that you could not serve as a fair and impartial juror for this case?

Respectfully submitted,

By: /s/ *Elizabeth A. Honce*  
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**CERTIFICATE OF SERVICE**

I hereby certify that on August 8, 2024, the foregoing was delivered to the parties listed below as well as Judge Kea Riggs.

Assistant United States Attorney Jeremy Pena  
Assistant United States Attorney Patrick Cordova  
Senior Litigation Counsel Ryan Crosswell  
**COUNSEL FOR THE UNITED STATES**

/s/ *Elizabeth A. Honce, Esq.*  
Elizabeth A. Honce, Esq.